

Bureau of Health Care Quality & Compliance

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>NVS3522AGC</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED  <b>04/08/2009</b>
NAME OF PROVIDER OR SUPPLIER  <b>SPRUCE OAK RESIDENTIAL CARE FACILITY</b>		STREET ADDRESS, CITY, STATE, ZIP CODE <b>4618 SPRUCE OAK NORTH LAS VEGAS, NV 89031</b>		
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Y 000	Initial Comments  This Statement of Deficiencies was generated as a result of an annual State Licensure survey conducted at your facility on 04/08/09. This State Licensure survey was conducted by the authority of NRS 449.150, Powers of the Health Division.  The facility was licensed for 6 Residential Facility for Group beds for elderly and disabled persons, Category II residents. The census at the time of the survey was 1. One resident file was reviewed and four employee files were reviewed. There were no complaints investigated.  The findings and conclusions of any investigation by the Health Division shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state, or local laws.  The following deficiencies were identified:	Y 000		
Y 051 SS=C	449.194(2) Administrator's Responsibilities-Designation  NAC 449.194 The administrator of a residential facility shall: 2. Designate one or more employees to be in charge of the facility during those times when the administrator is absent. Except as otherwise provided in this subsection, employees designated to be in charge of the facility when the administrator is absent must have access to all areas of and records kept at the facility. Confidential information may be removed from the files to which the employees in charge of the facility have access if the confidential information is maintained by the administrator. The	Y 051		

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TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

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Y 051	Continued From page 1  administrator or an employee who is designated to be in charge of the facility pursuant to this subsection shall be present at the facility at all times. The name of the employee in charge of the facility pursuant to this subsection must be posted in a public place within the facility during all times that the employee is in charge.  This Regulation is not met as evidenced by: Based on observation, interview, and record review on 04/08/09, the administrator failed to designate one or more employees to be in charge of the facility.  Severity: 1 Scope: 3	Y 051		
Y 053 SS=F	449.194(4) Administrator's Responsibilities-Complete Rec  NAC 449.194 The administrator of a residential facility shall: 4. Ensure that the records of the facility are complete and accurate.  This Regulation is not met as evidenced by: Based on observation, interview, and record review on 04/08/09, the administrator failed to keep the records of the facility complete and accurate.  Severity: 2 Scope: 3	Y 053		

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Y 067	Continued From page 2	Y 067			
Y 067 SS=C	<p>449.196(1)(c) Qualifications of Caregiver- Read regulation</p> <p>NAC 449.196 1. A caregiver of a residential facility must: (c) Understand the provisions of NAC 449.156 to 449.2766, inclusive, and sign a statement that he has read those provisions.</p> <p>This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure that 4 of 4 caregivers read the provisions of NAC 449.156 to 449.2766 and signed a statement that he/she has read those regulations (Employee #1, #2, #3, and #4).</p> <p>Severity: 1 Scope: 3</p>	Y 067			
Y 072 SS=F	<p>449.196(3) Qualifications of Caregiver-Med re-training</p> <p>NAC 449.196 3. If a caregiver assists a resident of a residential facility in the administration of any medication, including, without limitation, an over-the-counter medication or dietary supplement, the caregiver must: (a) Receive, in addition to the training required pursuant to NRS 449.037, at least 3 hours of training in the management of medication. The caregiver must receive the training at least every 3 years and provide the residential facility with</p>	Y 072			

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Y 088	Continued From page 4  Severity: 1 Scope: 3	Y 088			
Y 103 SS=F	449.200(1)(d) Personnel File - NAC 441A  NAC 449.200 1. Except as otherwise provided in subsection 2, a separate personnel file must be kept for each member of the staff of a facility and must include: (d) The health certificates required pursuant to chapter 441A of NAC for the employee.  This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure 4 of 4 caregivers complied with NAC 441A.375 regarding tuberculosis testing (Employee #1, #2, #3, and #4) for the protection of all residents.  Severity: 2 Scope: 3	Y 103			
Y 104 SS=C	449.200(1)(e) Personnel File - References  NAC 449.200 1. Except as otherwise provided in subsection 2, a separate personnel file must be kept for each member of the staff of a facility and must include: (e) Evidence that the references supplied by the employee were checked by the residential facility.  This Regulation is not met as evidenced by:	Y 104			

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Y 104	Continued From page 5  Based on record review and interview on 04/08/09, the facility failed to investigate the references of 4 of 4 employees (Employee #1, #2, #3, and #4).  Severity: 1 Scope: 3	Y 104		
Y 105 SS=F	449.200(1)(f) Personnel File - Background Check  NAC 449.200 1. Except as otherwise provided in subsection 2, a separate personnel file must be kept for each member of the staff of a facility and must include: (f) Evidence of compliance with NRS 449.176 to 449.185, inclusive.  This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure 4 of 4 caregivers met background check requirements (Employee #1, #2, #3, and #4).  Severity: 2 Scope: 3	Y 105		
Y 206 SS=C	449.211(4)(a) Automatic Sprinklers-Quarterly Inspections  NAC 449.211 4. An automatic sprinkler system that has been installed in a residential facility must be inspected: (a) Not less than once each calendar quarter by a person who understands the manner in which the system operates	Y 206		

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Y 206	Continued From page 6  and the manner in which it should be maintained.  This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to have its automatic sprinkler system inspected for 1 of the last 4 quarters (October 2008 to March 2009).  Severity: 1 Scope: 3	Y 206			
Y 434 SS=F	449.229(3) Emergency Drills  NAC 449.229 3. A drill for evacuation must be performed monthly on an irregular schedule, and a written record of each drill must be kept on file at the facility for not less than 12 months after the drill.  This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure that monthly evacuation drills were conducted on an irregular schedule for the past 12 of 12 months (April 2008 to April 2009).  This was a repeat deficiency from the 05/31/08 State Licensure survey.  Severity: 2 Scope: 3	Y 434			

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Y 444	Continued From page 7	Y 444			
Y 444 SS=F	<p>449.229(9) Smoke Detectors</p> <p>NAC 449.229</p> <p>9. Smoke detectors must be maintained in proper operating conditions at all times and must be tested monthly. The results of the tests pursuant to this subsection must be recorded and maintained at the facility.</p> <p>This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure smoke detectors were tested 12 of the past 12 months (April 2008 to April 2009).</p> <p>This was a repeat deficiency from the 05/31/08 State Licensure survey.</p> <p>Severity: 2 Scope: 3</p>	Y 444			
Y 532 SS=C	<p>449.260(1)(g)(1)(2) Activities for Residents</p> <p>NAC 449.260</p> <p>1. The caregivers employed by a residential facility shall:</p> <p>(g) Post, in a common area of the facility, a calendar of activities for each month that notifies residents of the major activities that will occur in the facility. The calendar must be:</p> <p>(1) Prepared at least a month in advance.</p> <p>(2) Kept on file at the facility for not less than 6 months after it expires.</p> <p>This Regulation is not met as evidenced by: Based on observation, interview, and record review on 04/08/09, the facility failed to post a</p>	Y 532			

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Y 532	Continued From page 8  current (April 2009) activity calendar and maintain a file of 6 months worth of previous activity calendars for 6 of 6 months (October 2008 to March 2009).  Severity: 1 Scope: 3	Y 532			
Y 859 SS=F	449.274(5) Periodic Physical examination of a resident  NAC 449.274 5. Before admission and each year after admission, or more frequently if there is a significant change in the physical condition of a resident, the facility shall obtain the results of a general physical examination of the resident by his physician. The resident must be cared for pursuant to any instructions provided by the resident's physician.  This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure that 1 of 1 residents received an annual physical (Resident #1).  Severity: 2 Scope: 3	Y 859			
Y 870 SS=F	449.2742(1)(a)(1)(2)(b)(c) 449.2742(1)(a)(1) Medication Administration	Y 870			

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Y 870	<p>Continued From page 9</p> <p>NAC 449.2742</p> <p>1. The administrator of a residential facility that provides assistance to residents in the administration of medications shall:</p> <p>(a) Ensure that a physician, pharmacist or registered nurse who does not have a financial interest in the facility:</p> <p>(1) Reviews for accuracy and appropriateness, at least once every 6 months the regimen of drugs taken by each resident of the facility, including, without limitation, any over-the-counter medications and dietary supplements taken by a resident.</p> <p>(2) Provides a written report of that review to the administrator of the facility;</p> <p>(b) Include a copy of each report submitted to the administrator pursuant to paragraph (a) in the file maintained pursuant to NAC 449.2749 for the resident who is the subject of the report.</p> <p>(c) Make and maintain a report of any actions of any actions that are taken by the caregivers employed by the facility in response to a report submitted pursuant to paragraph (a).</p> <p>This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure that a medication profile review was performed by a physician, pharmacist or registered nurse at least once every six months for 1 of 1 residents residing in the facility for longer than six months (Resident #1).</p>	Y 870		

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Y 870	Continued From page 10  Severity: 2 Scope: 3	Y 870			
Y 895 SS=F	449.2744(1)(b)(1) Medication / MAR  NAC 449.2744 1. The administrator of a residential facility that provides assistance to residents in the administration of medication shall maintain: (b) A record of the medication administered to each resident. The record must include: (1) The type of medication administered.  This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to record the type of medication administered for 1 of 1 residents (Resident #1).  This was a repeat deficiency from the 05/31/08 State Licensure survey.  Severity: 2 Scope: 3	Y 895			
Y 896 SS=F	449.2744(1)(b)(2) Medication / MAR  NAC 449.2744 1. The administrator of a residential facility that provides assistance to residents in the administration of medication shall maintain: (b) A record of the medication administered to each resident. The record must include: (2) The date and time that the medication was	Y 896			

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Y 898	Continued From page 12	Y 898			
Y 898 SS=F	<p>449.2744(1)(b)(4) Medication / MAR</p> <p>NAC 449.2744</p> <p>1. The administrator of a residential facility that provides assistance to residents in the administration of medication shall maintain:</p> <p>(b) A record of the medication administered to each resident. The record must include:</p> <p>(4) Instructions for administering the medication to the resident that reflect the current order or prescription of the resident's physician.</p> <p>This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure the medication administration record (MAR) was accurate for 1 of 1 residents (Resident #1).</p> <p>Severity: 2 Scope: 3</p>	Y 898			
Y 936 SS=D	<p>449.2749(1)(e) Resident file</p> <p>NAC 449.2749</p> <p>1. A separate file must be maintained for each resident of a residential facility and retained for at least 5 years after he permanently leaves the facility. The file must be kept locked in a place that is resistant to fire and is protected against unauthorized use. The file must contain all records, letters, assessments, medical information and any other information related to the resident, including without limitation:</p> <p>(e) Evidence of compliance with the provisions of</p>	Y 936			

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Y 936	Continued From page 13  chapter 441A of NRS and the regulations adopted pursuant thereto.  This Regulation is not met as evidenced by: Based on record review and interview on 04/08/09, the facility failed to ensure 1 of 1 residents complied with NAC 441A.380 regarding tuberculosis testing (Resident #1).  Severity: 2 Scope: 1	Y 936			
Y 940 SS=C	449.2749(1)(g)(3) Resident file  NAC 449.2749 1. A separate file must be maintained for each resident of a residential facility and retained for at least 5 years after he permanently leaves the facility. The file must be kept locked in a place that is resistant to fire and is protected against unauthorized use. The file must contain all records, letters, assessments, medical information and any other information related to the resident, including without limitation: (g) An evaluation of the resident's ability to perform the activities of daily living and a brief description of any assistance he needs to perform those activities. The facility shall prepare such an evaluation: (3) In any event, not less than once each year.  This Regulation is not met as evidenced by: Based on record review and interview on	Y 940			

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Y 940	Continued From page 14  04/08/09, the facility failed to perform an annual evaluation of a resident's ability to perform the activities of daily living on 1 of 1 residents residing in the facility longer than a year (Resident #1).  Severity: 1 Scope: 3	Y 940			

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